

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
Plaintiff, ) Case No. CR02-0202-MJP-JPD  
v. ) CR04-0336-MJP-JPD  
JEANIA DYSON, )  
Defendant. ) SUMMARY REPORT OF U.S.  
 ) MAGISTRATE JUDGE AS TO  
 ) ALLEGED VIOLATIONS  
 ) OF SUPERVISED RELEASE

An evidentiary hearing on a petition for violation of supervised release in these cases was conducted before the undersigned Magistrate Judge on May 18, 2006. The United States was represented by Assistant United States Attorney Susan Dohrmann, and the defendant by Mr. James Vonasch. The proceedings were recorded on cassette tape.

On or about November 26, 2002, defendant was sentenced by the Honorable Marsha J. Pechman to twenty-one (21) months in custody to be followed by five (5) years of supervised release on charges of Bank Fraud. On or about March 4, 2005, defendant was sentenced again by the Honorable Marsha J. Pechman to eight (8) months and ten (10) days in custody to be followed by three (3) years of supervised release on a charge of Escape.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse treatment participation, consent to search and seizure, maintaining a single checking account in defendant's name, personal computer inspection, prohibition from incurring new credit or

**REPORT AND RECOMMENDATION OF  
U.S. MAGISTRATE JUDGE AS TO ALLEGED  
VIOLATIONS OF SUPERVISED RELEASE  
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01 opening additional lines of credit, employment restriction, and identification restrictions,  
02 financial disclosure, and restitution.

03 In a Petition for Warrant or Summons dated April 28, 2006, and a Violation Report  
04 and Warrant Request of the same date, U.S. Probation Officer Brian Rogers asserted the  
05 following violations by defendant of the conditions of her supervised release:

06 (1) Associating with persons engaged in criminal activity on or about April 20,  
07 2006, in violation of standard condition No. 9.

08 (2) Associating with individuals convicted of a felony without permission by the  
09 probation officer on or about April 20, 2006, in violation of standard condition No. 9.

10 At the hearing, the government dismissed the second alleged violation without  
11 prejudice. An evidentiary hearing began on the first alleged violation. The government  
12 indicated its intent to call three witnesses, United States Probation Officer Brian Rogers, and  
13 two Gig Harbor Police Detectives. During the testimony of Probation Officer Rogers, the  
14 defendant's counsel indicated that the defendant would be willing to proceed by proffer. As  
15 a result, the government proffered that Gig Harbor police were responding to a merchandise  
16 loss of \$7,000 at a Gig Harbor Home Depot caused by five people who had been using  
17 fraudulent identification. While taking the report, the police officer noticed people  
18 attempting to load items on a cart for purchase. They attempted to purchase approximately  
19 \$13,000 worth of merchandise when the checker called store security because it appeared that  
20 a proffered driver's license was forged. The five people fled the store and went to a Ford  
21 Explorer and a U-Haul truck. This group included the defendant. The police were notified  
22 that they looked like the same people who had engaged in the earlier theft.

23 The defendant and four others (Joseph Hayden, Desiree Webber, Jack Vardaro, and  
24 Derrick Goodloe) were arrested and booked into the Pierce County Jail for conspiracy to  
25 commit theft in the first degree. At least two of those arrested told police officers that the  
26 defendant was an active participant in their identity-theft actions. She denied involvement

01 and said she was drunk, asleep in the car, and did not go into the store.. This was belied by a  
02 store videotape that showed the defendant in the store. All five arrested have felony  
03 convictions.

04 After the proffer, the defendant stated that she would not challenge the evidence  
05 proffered, and had no witnesses to call on her behalf.

06 As a result, I recommend that the Court find the defendant to have violated the terms  
07 and conditions of her supervised release as to violation No. 1, and that a disposition hearing  
08 on this violation be set.

09 A disposition hearing will be set before the Honorable Marsha J. Pechman at a time to  
10 be determined. Pending a final determination by the Court, the defendant has been detained.

11 DATED this 19th day of May, 2006.



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13 JAMES P. DONOHUE  
United States Magistrate Judge  
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cc: District Judge: Honorable Marsha J. Pechman  
AUSA: Ms. Susan Dohrmann  
Defendant's attorney: Mr. James Vonasch  
Probation officer: Mr. Brian Rogers